The Daily Gazetteer.

WEDNESDAY, AUGUST 3, 1743.

Hamburgh, July 30.

John Frederic Konig, a famous Banker here, an Agent to the King of Sweden, had Yesterday the Honour to entertain the Duke of Holstein-Utin, Bishop of Lubec, and Successor elect to the Throne of Sweden, with abundance of the Nobility of the adjacent Circles, and other Persons of Distinction, at a sumptuous Dinner. According to our last Advices from Copenhagen, Count Tessin was received by the King of Denmark with all the Marks of Consideration and Respect possible, and had an Audience of his Majesty on the 25th; after which, he conferred with the Privy-Councillors Birkenten and Schulim. Our Fleet still continues ready to sail, and we every Moment expect to see 27 Men out of each Company in our Garison, embark on board it.

Manheim, July 29. In the Night, between the 26th and 27th of this Month, the French remov'd their Head Quarters from Worms, and march'd thro' Franckenshal by Torch-light. The Field Artillery, Bridges of Boats, and Ammunition, belonging to the Army of M. Noailles, have been, by his Orders, transported to Landau. Part of his Army is marching towards Lorrain, and the rest on the Side of Strasbourg. The few Troops that were in the Neighbourhood of Spire begin their March this Day; and in two Days Space the French will have abandon'd all their Posts in the Empire, on both Sides the Rhine. His Soldiers, in many Places, cut down the ripe Corn for Forage, which is grievously resented by the Peasants; nor can all the good Words in the World make them quiet. The Hussars have lately taken some Field Pieces from the French, which puts it in their Power to scour the whole Rhine; so that nothing can pass without being visited by them. There is a considerable Body of Hussars in our Neighbourhood, and abundance of Persons of Distinction in this City went to look upon them; they are all tall, well-shaped, graceful-looking Men, and are commanded by a Lieutenant; who besides the Sclavonian, which is his Mother-Tongue, speaks Latin, German, and French incomparably. They observe the most exact Discipline in the World; two of them, who had been guilty of very trivial Offences, were hanged up Yesterday by Judgment of their own Corps, with very little Ceremony. This Evening Prince Charles is expected from Hanau, and it is supposed, that in two Days the Army will continue its March to the Rhine.

Dusseldorp, August 2. Prince Charles of Lorrain, who was at Hanau to confer with the King of Great Britain, set out from thence on the 20th, in order to return to his own Troops. It is very certain, that the King relish'd every Article of the Plan propos'd by his Highness, so that we take it for granted, that the Austrians will immediately act vigorously against the French; and that the Army of the Allies will make such Motions as may facilitate their Operations. Some private Letters from Franckfort, however, say, that they are treating there of a general Pacification, into which even France may be admitted upon reasonable Terms. However that may be, this is certain, that the Emperor is very well pleas'd with the honourable Capitulation granted to the City of Straubingen; where the Bavarian Regency have still the Administration left in their Hands. We are also told, that Egra has obtained honourable Conditions, which is thought a very considerable Piece of News here; that the King of Prussia has some new Schemes in his Head, and that he is actually assembling a very considerable Army in Silesia. We have this Moment Advice, that Prince Charles of Lorrain's Army struck their Tents this Morning, and are in full March for the Rhine.

AMERICA.

The SPEECH *of his Excellency* WILLIAM SHIRLEY, *Esq; to the General Assembly of the* Massachusetts-Bay *in* New-England, June 10, 1743.

Gentlemen of the Council and House of Representatives,

NOtwithstanding I have but very lately met you here, yet as I am desirous that what I have now to communicate may have all the Weight with you that I can give it, I chuse to do it by speaking to you rather than by Message.

I perceive by your late Resolve, that you have consider'd the Case of the Creditors upon old Bonds and Mortgages, condition'd for the Payment of Bills of Credit, or for the Payment either of Bills of Credit or lawful Money, as it stands between them and their Debtors, but not as it stands between them and the Province.

Whereupon I would observe to you, that tho' it appears evident beyond all reasonable Doubt, that ever since the Publication of the first Act in 1712, intitled, *An Act to prevent the Oppression of Debtors*, till the End of the Year 1741, all Debts due upon Bonds and Mortgages of the before-mentioned Tenor were understood, and consequently intended both by Creditor and Debtor, at the Time of contracting the same, to be payable in Bills of publick Credit on this Province, whether such Bills should rise or fall in their Value; and that for at least Twenty-four Years of that Time the several Courts of Judicature within this Province have made the same Construction of such Bonds and Mortgages, and govern'd themselves accordingly in entering up their Judgments, and awarding Executions for such Debts. And altho' it is clear to me, that the Rule lately introduced into some of the Courts for making up Judgments upon such Bonds and Mortgages, in which it is manifest that the Judges utterly disregard the Intent of the Parties, and govern themselves intirely by the accidental Event of these Contracts, is a Departure not only from the principal Rule of Equity, as it is settled in the *English* Courts of Judicature, but likewise from the general Rule of Justice, universally established in all Communicates; and therefore, if consider'd only in that View, unsafe to be introduced into the Provincial Courts; but if further consider'd, as it runs counter to the Rule for entring up Judgments in such Cases, which was settled in the same Courts during so great a Length of Time, under the Sanction of which the Debtors have been led into giving these Securities; and as it must be attended with manifest Injury not only to the Debtors in this, and other Respects, but also to other Persons in the Community, who will suffer Injustice from the Consequences of this Rule; I say, altho' for these Reasons it seems most clear to me that this new Rule is by no Means well warranted, yet it appears, on the other Hand, very manifest, that the Creditors upon such Bonds and Mortgages of the before-mentioned Tenor, as were given before the last Day of October 1741, have a just Claim upon the Province for making good to them the Difference between the present depreciated Value of the Province Bills, and the several different Values they were of at the respective Times of contracting the Debts, not exceeding, in such Valuation, the Rate of Twenty Shillings in those Bills, for an Ounce of Silver,

The Reasons of my Sentiments I shall briefly give you in the following State of their Case. —— By the Act for supplying the Treasury with the Sum of 18,000 *l.* in Bills of the old Tenor, and 9000 *l.* in the Bills then first call'd Bills of the new Tenor in 1736, it is enacted, 'That 'for the greater Security of the Possessor of the Bills, 'and the better and more fully to enable the Treasurer 'to exchange all the Bills of the old and new Tenor, 'that should in the Year 1742 happen to remain in the 'Hands of any private Persons, that the Duties of Im'post and Tonnage of Shipping, together with the In'comes of the Light-House, should be paid in Silver 'at six Shillings and eight Pence per Ounce, or in Gold 'of a proportionable Value, from and after the Session 'of the General Court in May next, and until the End 'of their Session, which would be in May 1742, *&c.*'

And by that Act, Twenty Shillings in Bills of the old Tenor is made equal to an Ounce of Silver in publick Payment. —— By the Act for supplying the Treasury with the Sum of 20,000 *l.* in Bills of the like new Tenor in 1737, Twenty Shillings in Bills of the old Tenor is again declared to be equal to one Ounce of Silver in publick Payments, and is made equal to an Ounce of Silver in the Payment of all private Debts, dischargeable by Bills of publick Credit. —— By the Act for supplying the Treasury with the Sum of 6000 *l.* in Bills of Credit of the aforesaid new Tenor in 1738, the Value of the Bills of the old Tenor is again ascertain'd at the same Rate in like Manner. —— By the Act for supplying the Treasury with the Sum of 80,000 *l.* in Bills of publick Credit (meaning Bills of the old Tenor) in 1704, it is enacted, That Twenty Shillings in those Bills shall be of the aforesaid Value in publick Payments, and equal to Twenty Shillings in Bills of the old Tenor then extant, and to one Ounce of Silver Coin, and to Gold in Proportion, and shall be in like Manner accepted in all private Payments, and shall effectually discharge all private Debts whatsoever, which might be discharged by Bills of the old or new Tenor then extant. —— And by an Act for the Supply of the Treasury past'd in 1741, and another Act for the Supply of the Treasury past'd in 1742, the Value of the Bills of Credit of the old Tenor in Payment of all private Debts contracted before the first Day of April 1742, and dischargeable by such Bills, is reduced one fourth Part, and Twenty Shillings in such Bills is made equal to three Quarters of an Ounce of Silver only in all such private Payments. —— And by a Vote of the General Court in the same Year the Value of those Bills is likewise reduced in the same Proportion in all publick Payments.

And now, Gentlemen, I shall rest it for your Consideration, whether the Creditors upon old Bonds and Mortgages of the before-mentioned Tenor contracted before the 31st of October 1741, had not just Reason to think, the publick Faith of the Province was pledg'd to them by the Act of the General Court in 1736, that the Treasurer should exchange the Bills of the old Tenor, in which those Debts (it is now agreed by you) were dischargeable, for Silver at the Rate of Twenty Shillings per Ounce, or for Gold in like Proportion, some Time in the Year 1742. —— The last Clause indeed in that Act limits a certain Day in that Year, *viz.* the last Day of December, after which the Possessor of the outstanding Bills of the new Tenor may come to the Treasurer and demand of him to exchange them for Silver or Gold, pursuant to the Act, but no certain Time is therein limited for the Possessor of the Bills of the old Tenor to make such Demand; and so far those Bills are put upon a different Foot: But surely, Gentlemen, when a Fund is rais'd in the Clause immediately preceeding, as a Security to the Possessor of the old Bills, as well as to the Possessor of the new; and to enable the Treasurer to exchange such of the old as well as of the new Bills, which should happen to remain in the Hands of the Possessor in 1742; tho' in the subsequent Clause a certain Day is assign'd to the Possessor of the new Bills, after which he may make his Demands upon the Treasurer, and no Day is therein assign'd to the Possessor of the old Bills for that Purpose, yet that can by no Rule of Construction be construed to destroy the Security, which is expressly given to the Possessor of the old Bills in the precedeing Clause in the same Words, that give it to the Possessor of the new Bills, tho' the Benefit of the Act is not demandable by both of them at the same Time.

[*The Remainder of this* SPEECH *will be inserted the first Opportunity.*]

New York, May 16. The following Account and Description of some Spanish Privateers fitted out at the Havannah, we have received from a Person lately a Prisoner there.

A Snow of 18 Carriage and 8 Swivel Guns, gone to the Coast of Guiney.

Two Sloops belonging to the French, and which came from Martineco to the Havannah for Commissions, both large Bermuda built Sloops; one carrying 12 Carriage Guns, and 100 Men; the other 14 Carriage Guns, and 110 Men, bound to St. Augustin, and were thence to cruize off the Bar of Carolina, &c.

A Snow called the King's Snow (the same which took Capt. Phenix of this Port, some time since) carrying 16 Carriage Guns, and 100 Men.

A Scooner, having Top-Sails, and Cross-Jack Yards aloft, carrying 12 Carriage Guns, and 100 Men.

A large Sloop lately built at the Havannah, having a White Woman's Head for her Head, and Top-Sail Yards aloft, 12 Six Pounders, and 100 Men.

A Sloop Bermuda built, lately Capt. Whitney's, carrying 14 Carriage Guns, besides Swivels, and 120 Men; commanded by one Paunche, a Person well known in these Parts, and who is acquainted with these Coasts.

HOME PORTS.

Deal, August 1. Wind N. W. Remains in the Downs his Majesty's Ships the Dorsetshire, Shrewsbury, Gibraltar, and Granado Bomb; the Peter and Mary, Iredill, the Anne, Dodsworth, and the Anne, Grimble, for Mahon; the Prosperous, Sears, for St. Kitts; the Britannia, Sharp, for Carolina; and the Marmaduke, Bowman, for Lisbon. Came down the St. John, Long, and the Dispatch, Power, for Oporto; and the William, Loreing, for Boston.

Gravesend, August 1. Pass'd by the Bangor, Reeves, from Philadelphia.

Arrived

At Maryland, the Bond, Johnson, and the Batchelor, Woodrope, from London.

LONDON.

What the Dutch News Papers have reported as to the Recall of the Danish Envoy at the Court of Sweden, is without Foundation; he has only obtained Leave to return for six Weeks, in order to take Care of his own private Concerns.

…ish Fleet at Toulon consists of 18 large Ships, …, and about two-thirds Mann'd.

…s resolved in the French King's Council (ex-… former Augmentations) to add Five Men per Company to all the Regiments of Foot at present in the Service, which will amount to 20,000 Men.

M. Noailles detach'd 12 Squadrons, and 13 Battalions towards the Moselle, which occasion'd the Report that the French intended to dispute, with the Allies, the Passage of the Rhine.

The Fortifications on the Coast of France are carried on with as much Diligence as ever they were in the two last Wars.

Yesterday came Advice of the Arrival of the following Ships in the East-India Company's Service off Tinmouth; viz. The Admiral Vernon, Webster, from Bengal; the Porto Bello, Fisher, from Bombay; the Benjamin, Way, from Mocha and Bombay; and the Somerset, Kent, (late Howe's) from Bombay. They left the Princess Mary, late Martin; the Augusta, Townshend, and the Onslow, Balchin, well at the Cape of Good Hope.

The Hastings Man of War, Lord Banff, is arrived at Virginia, with several Ships under her Convoy; as also her Prize, the St. Jean, bound from La Vera Cruz for Cadiz, taken off the Western Islands.

The Panther Galley, Bell, from St. Christophers for London, founder'd four Days after she came out. The Captain and Crew were taken up and brought home by the Seymour, Lewis, arriv'd off Dover.

Yesterday the Right Hon. the Countess of Egmont was judg'd to be in a fair Way of her Recovery, at her House in Pall-Mall.

On Monday Evening an unfortunate Accident happen'd at the Timber Wharf adjoining to Cuper's Gardens, to two Children, (both Boys) the one about Four, and the other about Three Years of Age, who had rambled down to the Water-side, and fell into the Thames. The Eldest was taken up Yesterday, but the other is not yet found.

The Marquis of Brackley, eldest Son to his Grace the Duke of Bridgwater, arrived here last Monday Night from his Travels.

On Sunday last Mr. Derby, Coachman to Col. Cunningham, a Person in good Circumstances, shot himself thro' the Head, and died instantly. He was formely Coachman to the Duchess of Kendall.

The Books of his Majesty's Ship the Port-Mahon are sent to Portsmouth, to pay her Company's Wages to the 30th of June, 1742.

High Water this Day at London-Bridge.	Morning	08 15	Evening	08 56

Bank Stock, 148 1-4th to 1-8th. India, 189 1-half to 190, to 189 3-4ths. South Sea, 114 3-4ths to 115. Old Annuity, 115 1-4th. New ditto, 113 7-8ths to 7-8ths. Three per Cent. Annuities, 103 1-4th to 3-8ths. Ditto 1743, 103 1-4th to 3-8ths. Seven per Cent. Loan, 116. Five per Cent. ditto, 77 1-4th. Royal Assurance, 80 1-half. London Assurance, 11 7-8ths. India Bonds, 4 l. 18 s. to 17 s. Prem. Bank Circulation, 5 l. 15 s. Prem. Salt Tallies, 103. Three 1-half per Cent. Exchequer Orders, 105. Three per Cent. ditto, 99 3-4ths. Million Bank, 119. Equivalent, 111. Lottery Tickets, 11 l. 6 s. to 5 s. 6 d.

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Prejudice,	Avarice,	Hope,
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THE PROCEEDINGS on the KING's COMMISSIONS of the Peace, Oyer and Terminer, held for the City of London and County of Middlesex, before the Right Hon. ROBERT WILLIMOTT, Esq; Lord Mayor of the City of London, the Right Hon. the Lord Chief Baron PARKER, Mr. Justice WRIGHT, Mr. Justice ABNEY, Mr. Recorder, &c. at Justice Hall in the Old Bailey, on the 29th and 30th of June and 1st of July.

Containing the TRIALS at large of

Marcus Polak, for stealing a Gold Ring with an Emerald Stone and Twelve Diamonds from Mrs. Markham.

Anne Serjeant, for privately stealing a Purse and Sum of Money from Mr. Morgan.

Ann Chaloner and *Ann Poole*, for Shop-lifting.

Ann Berreau, for robbing Ann Shortland on the Highway.

John Head, otherwise *Offley*, and *Francis Painter*, for stealing several Cows and Heifers off Enfield-Chase.

Ann Duck, for robbing John Andrews in the House of Mary Ballet.

Elizabeth Harris and *Mary Ballet*, for robbing Daniel Flannigal in the House of Mary Ballet.

Mary Kosum, for privately stealing a Watch from the Person of Mr. Palmer (a Constable) in a Ginshop.

Richard Warwick, for several Felonies, and a Robbery on the Highway.

Mary Holmes, otherwise *Yates*, otherwise *Smith*, for stealing a large Quantity of Apparel, Money, &c. from Mr. Wheeler.

With many other Curious Trials.

N B. At this Sessions there were above Fourscore Prisoners try'd, of whom Twenty were for Capital Offences.

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Of whom may be had,

The Proceedings on the said Commissions in May last.

Containing the TRIALS at large of

Gabriel Beaugrand and *Lewis Brunet*, for the Murder of Lewis Legier, Commodore Anson's Cook.

William Brown, condemned for Picking the Pocket of Robert Tracy, Esq; coming out of Covent-Garden Playhouse.

James Knight, convicted of Picking Mr. Donald's Pocket on Snowhill.

Rachael Frick, convicted of Picking Mr. Pidgeon's Pocket of a Watch.

Jane Pearce, for robbing her Master and Mistress of most of their Wearing Apparel, Linen, and a considerable Quantity of Houshold Goods.

Andrew Thomas Davenport, for Robbing his Master of a great Quantity of Mercery Goods.

Mary White, convicted of Stripping a young Child, afterwards dropp'd into a Vault, whereby her Life was in great Danger.

Mary Mockridge, convicted of feloniously Breaking into the House of Mrs. Wild.

John Jefferies, convicted of Breaking open a Compting-House, and robbing Mr. Gillings of several Things of Value.

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NUMBER 469, *(from* February 3, *to* April 2, *1743, Illustrated with Six Copper Plates) of*

THE PHILOSOPHICAL TRANSACTIONS, CONTAINING,

1. Some Account of the Insect called the Fresh Water Polypus, before-mentioned in the Transactions; as the same was delivered at a Meeting of the Royal Society, by the Professor.

2. Some Account of the Sea-Calf shewed at Charing Cross. By Ja. Parsons, M. D. F. R. S.

3. The Ambe of Hippocrates for reducing Luxations of the Arm with the Shoulder, rectified. By M. Le Cat, M. D. F. R. S.

4. An Account of a Treatise of Fluxions, &c. By Colin M'Laurin, Prof. Mathem. Edinb. F. R. S.

5. Observations on the Mouth of the Eels in Vinegar, and also a strange Aquatick Animal, sent in a Letter from the Rev. Mr. Han. Miles, to Mr. Hen. Baker, F. R. S.

6. An Extract from the Books of the Town-Council of Edinburgh, relating to a Disease there, supposed to be Venereal, in the Year 1497.

7. An Account of a Book, intituled, New Principles of Gunnery, containing the Force of Gunpowder, and an Investigation of the Resisting Power of the Air to Swift and Slow Motions. By Benj. Robins, F. R. S.

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